

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JUDY L. FITZPATRICK,

Plaintiff,

vs.

Civil Action 2:09-CV-391
Judge Smith
Magistrate Judge King

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

On July 26, 2010, the United States Magistrate Judge issued a *Report and Recommendation* recommending that the decision of the Commissioner be reversed and that the matter be remanded for further consideration of the opinion of plaintiff's treating psychiatrist. *Report and Recommendation*, Doc. No. 18. The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. The decision of the Commissioner is **REVERSED** and the matter is **REMANDED** for further consideration of the opinion of plaintiff's treating psychiatrist.

The Clerk shall enter **FINAL JUDGMENT** pursuant to Sentence 4 of 42 U.S.C. § 405(g).

/s/ George C. Smith
George C. Smith, Judge

United States District Court